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Tort Levy Expenditures and Risk Management Plan

Introduction

The Western District Public Library has a comprehensive Risk Management Plan to reduce and/or prevent the library's exposure to liability and liability risks. It is critical for the library to: 1) ensure the library's facilities and grounds are maintained in a safe condition; 2) provide careful supervision and protection of the library's real and personal property; 3) educate and train trustees and staff concerning loss prevention and risk reduction; and 4) provide protection to the library against liability exposure.

Legal Authority

The Illinois Local Government and Governmental Employees Tort Immunity Act (745 ILCS 10/9 - 101 et. seq.) provides for a governmental body to levy a tax which pays the cost of insurances and risk management (Section 9-107). This statute provides for funds raised to be used for the cost of insurance, including all operating and administrative costs and expenses; claim services and risk management attributable to loss prevention and loss reduction; educational, inspectional, and supervisory services directly relating to loss prevention and loss reduction; judgments or settlements costs; or otherwise pay the cost of risk management programs.

In addition to the library's purchase of insurance protection for general liability, building, contents and property damage insurance, and related coverages like Director's and Officer's Liability coverage, cyber liability, Workers' Compensation and Unemployment Compensation insurance, the library created and continues a plan a program of Risk Management and Loss Control using funds as provided by statute for such purposes.

Risk Management Organization

The most effective implementation method is to integrate risk management into every level of the library's operation. Every library employee should understand the library's risks and their role in preventing and/or controlling potential losses. All levels of employees have a duty to perform Risk Management steps and techniques for library areas and to report their actions, concerns, and recommendations.

Library Director

The overall responsibility for the development and maintenance of the library's risk management program rests with the Library Director. The Director is responsible for the development of the Risk Management Plan, identifying the Plan's components, delegating responsibilities for the various components to appropriate staff, continuously evaluating the effectiveness of the Plan, and making revisions as needed.

The Director's overall Risk Management Plan responsibilities include:

- Evaluating, acquiring, and monitoring necessary insurances and legal representation
- Monitoring and tracking fund sources and uses
- Reporting to the Board concerning the Risk Management Plan
- Preparing revisions to the Plan
- Inspecting physical facilities for risks and making appropriate moves for risk mitigation
- Overseeing property maintenance and conditions
- Overseeing and training library staff on their role in risk management
- Overseeing the reports and the process of reporting among library staff

One primary component of the Risk Management Plan is the provision of an insurance program providing protection to the library against liability of all types. Portions of this component include, but not be limited to:

- Premiums for the various necessary insurances, including all liability insurance, property damage insurance, Directors' and Officers' Liability insurance, workers compensation, unemployment compensation, etc.
- Payment for judgments or settlements arising or which may arise against the library.
- Payment for all legal fees connected with protecting or defending the library against liability, including employment practice charges and citizen or patron charges.
- Allowance for the time expended by the Library Director concerning the above-mentioned assignments.

Another primary component of the Risk Management Plan is ensuring the safe condition and protection of the library building, grounds, and the real and personal property. This is primarily the responsibility of the Library Director, who may exercise reasonable discretion in the performance of this responsibility. These responsibilities include, but are not limited to:

- Development and identification of the plan components and responsibilities concerning inspection of buildings, grounds, and equipment to provide protection to the library, its employees, and the public. Within this parameter, the Library Director is responsible for the supervision of the library staff and hired contractors, identifying the frequency of inspections of the building and grounds, and operation of the library building's security systems.
- Maintenance of the legal and safe conditions of the building and grounds: the library's compliance with state and federal laws regarding employee and patron health and safety,

and the training of the library's custodial personnel in performing work on safety and health matters.

- Coordination and supervision of all personnel performing maintenance duties within the Risk Management Program, on library facilities, grounds, furnishings, and equipment.
- Establishing priorities among the improvements or repairs identified through the implementation of the risk management plan and allocating capital resources in the manner deemed in the best interest of the Library in the Director's reasonable discretion.
- The preparation and continuous operation of a "liability risk early warning system" for the gathering of warnings, complaints, concerns or alerts pertaining to the library's facilities, grounds, furnishings, equipment, as well as its programming and activities, and the monitoring thereof, from any source, including citizens, patrons, employees, consultants, visitors, board members, etc. to include the assessment of risk presented, follow-up and attention to such risks or conditions, their removal or abatement thereof, and all appropriate follow-up steps advisable for the library.

It is expected that the library director will spend 20% of his/her time managing the Risk Management Plan, insurance, and facilities responsibilities.

The Library Director will also be responsible for the review and management of the Disaster Plan.

Library Board

It is the responsibility of the Library Board to ensure that the Library Director is fulfilling the responsibilities and expectations of the Risk Management plan, including, but not exclusively, mitigating risks and liabilities regarding personnel, the physical safety of the building and grounds, and library funds.

In addition to the liability coverage required of all the Library Board members, the Treasurer must be covered by a separate surety bond that insures 50% of the annual operating budget of the library.

Other library personnel

It is the responsibility of all library staff to assist and take direction from the Library Director in maintaining the safety of the library.

All library employees have the following responsibilities relative to risk management.

- Routinely monitor the behaviors of patrons while on library property and/or in the library building to encourage and promote appropriate behavior
- Maintain public and staff areas and rooms in compliance with health and safe standards
- Assume responsibility for inspecting library property and equipment, within the employee's charge, to encourage and promote safe and effective operation

- All other duties required to address emergency situations
- Report any incidents occurring on or in the building and/or property

These duties will be delegated and supervised by the Library Director to ensure that every staff member is facilitating the Risk Management plan.

Tort Levy Expenditures/Risk Management Plan – Personnel

The Library Director will have 20% of his/her total salary charged to the Tort Levy Expenditures Fund.

Adopted January 27, 2020